



South Carolina House of Representatives

Legislative Update

James H. "Jay" Lucas, Speaker of the House

Vol. 32

May 5, 2015

No. 15

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NOTE: THESE SUMMARIES ARE PREPARED BY THE STAFF OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES AND ARE NOT THE EXPRESSION OF THE LEGISLATION'S SPONSOR(S) OR THE HOUSE OF REPRESENTATIVES. THEY ARE STRICTLY FOR THE INTERNAL USE AND BENEFIT OF MEMBERS OF THE HOUSE OF REPRESENTATIVES AND ARE NOT TO BE CONSTRUED BY A COURT OF LAW AS AN EXPRESSION OF LEGISLATIVE INTENT.

HOUSE WEEK IN REVIEW

The House of Representatives amended, approved, and sent the Senate **H.3250**, a bill **REVISING THE CERTIFICATE OF NEED PROGRAM** at the Department of Health and Environmental Control which requires providers of health care services, such as hospitals and nursing homes, to obtain department approval for additions to, or significant expansions of, their facilities and services. The bill includes recommendations of an ad hoc House legislative committee which drew upon recommendations of a CON review panel assembled by DHEC. The legislation provides comprehensive revisions to the Certificate of Need Program, including: authority for a health care facility to expand a service for which a CON has been previously awarded without having to obtain a CON for the expansion; Flexibility for adding new beds in an existing freestanding licensed acute care hospital, nursing home, rehabilitation facility, or psychiatric hospital without obtaining certificates; provisions that accommodate technological upgrades for medical equipment used for diagnosis or treatment; an increase from \$2 million to \$5 million in the capital expenditure threshold used for determining when a facility must obtain a CON and an annual indexing of this new threshold to a medical care consumer price index; elimination of the State Health Planning Committee; provisions for DHEC to make use of a revamped, statistically-driven State Health Plan that is subject to review by the General Assembly; streamlining provisions for the CON application, approval, and appeals process; limitation of CON challenges to affected parties and other changes to discourage the exploitation of the CON process as a means of delaying projects; and, revisions in contested cases to allow for a form of “loser pays” where prevailing parties are entitled to recover attorney’s fees and other costs incurred. The legislation establishes a review process for projects costing less than \$7 million that were initiated between July 1, 2013, and April 14, 2014, during the period when the Certificate of Need Program was not being implemented, to determine which projects merit a Certificate of Need. The legislation includes sunset provisions that eliminate the CON Program on January 1, 2018.

The House made appointments to a conference committee to address its differences with the Senate on **H.3663**. This joint resolution establishes an **INTERIM GOVERNING AUTHORITY FOR SOUTH CAROLINA STATE UNIVERSITY** in order to address the school’s financial crisis and academic accreditation issues and ensure the continuing viability of the institution.

The House returned **S.11**, a bill **ENHANCING PUBLIC NOTICE REQUIREMENTS FOR GOVERNMENT MEETINGS** under the state’s Freedom of Information Act, to the Senate with amendments. The legislation clarifies that an agenda is required for all meetings of a public body and provides that this agenda must be publicly accessible and posted online if the public body maintains a website. The legislation provides that, once a meeting agenda has been posted, no items may be added without affording the public an additional twenty-four hours’ notice. After the meeting begins, an action item may only be added to the agenda if two-thirds of the members present and voting agree that emergency circumstances exist that require the new item to be added to the agenda. The twenty-four hour notice requirement for adding items to an agenda is also imposed upon legislative committee meetings.

The House approved and sent the Senate **H.3152**. The legislation establishes a limit on general fund appropriations for a fiscal year set at the total amount of the general fund revenue estimate as of February 15, 2015, for fiscal year 2015-2016, increased annually and cumulatively by a percentage determined by population increases and increases in inflation as expressed by the consumer price index. A **SPENDING LIMIT RESERVE FUND** is established to receive all surplus general fund revenues in excess of the spending limit. The Spending Limit Reserve Fund must first be used to address any revenue shortfalls and then any remaining balance may be appropriated for, or used to offset revenue reductions for, the following list of priorities: temporary tax reductions; infrastructure improvements ranging from highway, rail, water, air, and other transportation facilities to basic government facilities, services, and installations such as water, sewer, and public sector communications; school buildings; school buses; and expenses incurred by the state as a result of natural or other disasters declared by the President of the United States. The legislation provides for the appropriation of fund revenues after these priorities are met and requires that appropriation of Spending Limit Reserve Fund revenues must be made by a joint resolution originating in the House of Representatives. The legislation excludes constitutional and statutory requirements from the new spending limit and provides for the limitation to be suspended for a fiscal year for a specific amount upon a special vote of the General Assembly. The legislation provides that this limit first applies for Fiscal Year 2016-2017.

The House approved and sent the Senate **H.3147**, the “**SOUTH CAROLINA GIVING BACK TO OUR VETERANS ACT**” legislation that provides a South Carolina income tax deduction for all military retirement benefits attributable to active duty service in the United States Armed Forces. The deduction is gradually phased in under a three-year schedule so that a full deduction for military retirement benefits is provided for taxable years beginning after 2016.

The House approved and sent the Senate **H.3149**, a bill to provide for a ninety-day **PROPERTY TAX GRACE PERIOD FOR DEPLOYED MILITARY SERVICE MEMBERS**. The legislation requires counties, upon application of the taxpayer, to extend the date for filing returns and the payment of property taxes for persons serving with the United States Armed Forces or National Guard in or near a hazard duty zone. The deferment begins on the tax due date and ends ninety days after the last date of deployment. No interest may be charged during the deployment unless the tax is not paid within the ninety-day grace period.

The House amended, approved, and sent the Senate **H.3154**, the “**SOUTH CAROLINA UNIFORM MILITARY AND OVERSEAS VOTERS ACT**” legislation to better facilitate the casting of absentee ballots in elections by deployed military and other overseas voters.

The House approved and sent the Senate **H.3156**, the “**UNIFORM DEPLOYED PARENTS CUSTODY AND VISITATION ACT**”. The legislation establishes protocols to address issues of custodial responsibility that arise when a parent in the uniformed Armed Services is deployed, including provisions for temporary child custody orders and agreements that are put in place during the time of deployment.

The House approved and sent the Senate **H.3548**, a bill establishing **NOTIFICATION REQUIREMENTS FOR CHILD ABUSE AND NEGLECT ALLEGATIONS INVOLVING ACTIVE MILITARY FAMILIES**. The legislation establishes requirements for

department of social services reports of alleged child abuse and neglect involving a child of an active military family to be made to designated military authorities at military installations.

The House approved **S.391**, a bill revising eligibility criteria for **IN-STATE HIGHER EDUCATION TUITION RATES FOR VETERANS AND THEIR DEPENDENTS**, and enrolled the legislation for ratification. Implementation of these provisions at the state level is necessary to allow for eligibility under federal G.I. Bill provisions. The legislation provides that active duty military personnel may be charged less than the undergraduate tuition rate for South Carolina residents for courses that are presented on a distance basis, regardless of residency. Also a covered individual enrolled in a public institution of higher education and receiving educational assistance are entitled to pay in-state tuition and fees without regard to the length of time the covered individual has resided in this State. Such a covered individual is defined as a veteran who served ninety days or longer on active duty in the Uniformed Service of the United States, their respective Reserve forces, and the National Guard and who enrolls within three years of discharge; or a person who is entitled to and receiving certain federal assistance by virtue of the person's relationship to the veteran. A covered individual must live in this State while enrolled at the in-state institution.

The House approved and sent the Senate **H.3979**, a bill **REVISING THE JUDICIAL MERIT SELECTION PROCESS** that is used in the election of judges by the General Assembly. The legislation provides for all the candidates for a judgeship found qualified by the Judicial Merit Selection Commission to be submitted to the General Assembly for consideration in a judicial election rather than the list of only the three candidates that the commission found to be most qualified.

The House amended, approved, and sent the Senate **H.3710**, a bill providing for a **MULTIPLE LOT REAL PROPERTY TAX DISCOUNT EXTENSION**. The legislation extends the multiple lot real property tax discount that has been provided to property developers to allow for an additional three years of eligibility in certain circumstances so that it would apply for property tax years beginning after 2011 and before 2019.

The House amended, approved, and sent the Senate **H.3725**, a bill **REVISING TAX CREDITS FOR THE REHABILITATION OF ABANDONED BUILDINGS AND HISTORIC STRUCTURES**. The legislation includes criteria for a state-owned abandoned building that affords tax credit eligibility for rehabilitating a building of a certain size abandoned for more than five years that was most recently owned by the State, or an agency, instrumentality, or political subdivision of the State. The legislation revises tax credit provisions for rehabilitating certified historic structures to provide that a taxpayer may elect a twenty-five percent tax credit in lieu of the current ten percent tax credit, not to exceed one million dollars for each certified historic structure. A three-year, rather than a five-year, write-off period is established for the tax credits for rehabilitation expenses of abandoned buildings and historic structures.

The House approved and sent the Senate **H.3259**, a bill providing for an **EXPANSION OF SOUTH CAROLINA RETAIL FACILITIES REVITALIZATION ACT ELIGIBILITY**. The legislation revises the South Carolina Retail Facilities Revitalization Act, so as to reduce the minimum square footage requirement for an eligible site from forty thousand square feet to twenty-five thousand square feet.

The House amended, approved, and sent the Senate **H.3874**, a bill establishing provisions for a **RENEWABLE ENERGY INCOME TAX CREDIT** for a taxpayer that constructs, purchases, or leases renewable energy property located on the Environmental Protection Agency's National Priority List, National Priority List Equivalent Sites, and related removal actions, located in the state of South Carolina. The legislation provides for an income tax credit equal to thirty-five percent of the cost, including the cost of installation, of putting into service certain solar, geothermal, biomass, wind energy, hydroelectric, and other renewable energy facilities subject to certain caps and stipulations based upon the type of facility. A sunset provision is included so that the credits will only be available through 2016.

The House approved and sent the Senate **H.3113**, a bill providing for the **INCLUSION OF ENVIRONMENTAL REMEDIATION UNDER COUNTY TAX INCREMENT FINANCING REDEVELOPMENT PROJECT COSTS**. The legislation revises redevelopment project cost provisions of the Tax Increment Financing Act for Counties so as to provide that property assembly costs also include the cost of environmental remediation.

The House amended, approved, and sent the Senate **H.3313**, a bill relating to the **RECLASSIFICATION OF REAL PROPERTY FOR TAX PURPOSES**. The legislation provides that, when calculating roll-back tax due on a parcel of real property changed from agricultural to commercial or residential use, the value used for platted green space or open space use of the parcel, if such use is ten percent or more of the parcel, must be valued based on the green space or open space use. The legislation provides that, after a parcel of real property has undergone an assessable transfer of interest, delinquent property tax and penalties assessed because the property was improperly classified as owner-occupied residential property while owned by the transferor are solely a personal liability of the transferor and do not constitute a lien on the property and are not enforceable against the property after the assessable transfer of interest if the transferee is a bona fide purchaser for value without notice. Under the legislation, these provisions that taxes and penalties assessed because of misclassification of real property remain the obligation of the property owner at the time of the misclassification rather than the responsibility of the buyer of the property would apply not only to property sales but also to trust distributions and property settlements in divorces.

The House amended, approved, and sent the Senate **H.3568**, a bill establishing a **SALES TAX EXEMPTION FOR CONSTRUCTION MATERIALS USED IN HOMES FOR THE NEEDY BY NONPROFIT ORGANIZATIONS**. This bill provides a state sales tax exemption for construction materials used by a nonprofit organization to build, rehabilitate, or repair a home for the benefit of an individual or family in need. The legislation also revises the sales tax exemption provided for aviation parts and supplies.

The House amended, approved, and sent the Senate **H.3062**, a bill establishing a **SALES TAX EXEMPTION FOR CLOTHING DONATED TO NEEDY CHILDREN**. The legislation establishes a sales tax exemption for children's clothing sold to a private charitable organization for the sole purpose of distribution, at no cost, to needy children who are eligible for free meals under the National School Lunch Program of the United States Department of Agriculture. Sunset provisions are included so that the sales tax exemption will expire at the end of 2020.

The House amended, approved, and sent the Senate H.3768, a bill providing for the “**SOUTH CAROLINA ABLE SAVINGS PROGRAM**” to establish savings accounts as a means of empowering individuals with a disability and their families to save private funds to support the individual with a disability. The legislation establishes the Savings Program Trust Fund and Savings Expense Trust Fund and provides guidelines to the State Treasurer for the maintenance of these accounts. The legislation allows for state implementation that coordinates with the federal Achieving Better Life Experience (ABLE) Act of 2014.

The House amended, approved, and sent the Senate H.3083, the “**SOUTH CAROLINA OVERDOSE PREVENTION ACT**”. The legislation establishes provisions that allow protection from legal liability for prescribing, dispensing, and administering an opioid antidote to individuals who may be at risk of an opioid drug overdose.

The House approved and sent the Senate H.3799, a bill providing for the **RECOGNITION OF CONCEALED WEAPONS PERMITS ISSUED IN NEIGHBORING STATES**. The legislation makes provisions for South Carolina to automatically recognize concealed weapon permits for carrying handguns issued by Georgia and North Carolina. Currently, South Carolina has established CWP reciprocity with North Carolina, but not Georgia.

The House amended, approved, and sent the Senate H.3682, the “**BAD FAITH ASSERTION OF PATENT INFRINGEMENT ACT**”. The legislation responds to the activities of so-called patent trolls who purchase and enforce various patent rights against accused infringers without actually manufacturing any goods or providing any services that are based on the patent in question. Even when claims of infringement on intellectual property lack merit, those accused of patent infringement may be inclined to pay a license fee that is demanded rather than face the expense and uncertainty of defending the ownership of their intellectual property through litigation. The legislation establishes provisions making it unlawful to make a bad faith assertion of patent infringement. The legislation establishes criteria for determining which demands for payment of license fees or threats of litigation constitute bad faith assertions of patent infringement, and provides legal remedies for those targeted by such practices. The Attorney General is authorized to act upon violations.

The House amended, approved, and sent the Senate H.3215, a joint resolution creating a temporary legislative **ALIMONY REFORM STUDY COMMITTEE** to examine the state's alimony laws including such issues as the length, amount, and consistency of alimony awards. Composed of three members of the House of Representatives appointed by the Chairman of the House Judiciary Committee and three members of the Senate appointed by the Chairman of the Senate Judiciary Committee, the study committee is charged with reporting its findings and recommendations to the General Assembly by December 31, 2015, at which time the study committee must be dissolved.

The House amended, approved, and sent the Senate H.3248, a bill creating a temporary “**STUDY COMMITTEE ON HOMEOWNERS ASSOCIATIONS**” to review laws, policies, practices, and procedures regarding homeowners associations including such matters as: disclosure of governing documents to prospective buyers; education for homeowners and board members; manager certification or licensing; the time period for developer control of an association; and the need for a comprehensive or uniform planned community act. The legislation provides for the composition of the study committee and

requires it to make a report of its recommendations to the General Assembly by December 31, 2015, at which time the study committee must be dissolved.

The House approved and sent the Senate **H.3002**, a bill establishing the **CAPITOL POLICE FORCE**. The legislation provides for multiple authorities currently responsible for security in various jurisdictions in and around the Capitol Complex to be consolidated within a single Capitol Police Force to provide a clear chain of command in providing police protection for the State House, the capitol grounds and nearby areas, the legislative and other government buildings at the capitol, and the South Carolina Supreme Court Building, as well as for employees and visitors on the premises. The legislation creates the Capitol Police Force Committee, consisting of the Sergeant at Arms of the Senate, the Sergeant at Arms of the House of Representatives, the Marshal of the Supreme Court, and the Director of General Services as a nonvoting member, and establishes the committee's duties, including the appointment of the newly-created position of Chief of the Capitol Police Force who serves at the pleasure of the committee. The Sergeants at Arms and Marshal retain responsibilities regarding their respective legislative and judicial chambers, offices, and meetings. Portions of the Department of Public Safety and the Bureau of Protective Services that provide security at the Capitol Complex are transferred to the new Capitol Police Force, but the consolidation excludes those responsible for protecting the Governor and gubernatorial offices and staff. The legislation establishes the authority for officers to make arrests and perform other law enforcement duties. The legislation authorizes the acceptance of grants and other revenue for funding security at the capitol, requires annual training provided by the State Law Enforcement Division, and provides for coordination with other jurisdictions in criminal investigations and other security matters.

The House approved and sent the Senate **H.3512**, a bill providing **AUTHORIZATION FOR SCHOOL DISTRICTS TO OFFER DISPLAYS, GREETINGS, AND INSTRUCTION ASSOCIATED WITH TRADITIONAL WINTER CELEBRATIONS**. The legislation provides that a school district may educate students about the history, customs, and symbols of traditional winter celebrations, and may allow students and district staff to offer traditional greetings, such as "Happy Hanukkah", "Happy Holidays", and "Merry Christmas", in conjunction with providing this education. The legislation authorizes a school district to display on school property scenes or symbols of traditional winter celebrations, such as menorahs, nativity scenes, and Christmas trees, so long as the display meets criteria for showcasing multiple religions or incorporating secular symbols alongside religious symbols. These displays must not include a message that encourages adherence to a particular religious belief.

The House amended, approved and sent the Senate **H.3560**, a bill revising **TEACHER DISMISSAL** provisions. Notably, the legislation affords school districts the option of making use of new authority to delegate the conduct of evidentiary hearings to qualified hearing officers. The legislation provides for appeals of school board decisions to be made to the Administrative Law Court (ALC) rather than to the court of common pleas.

The House amended, approved, and sent the Senate **H.3882**, a bill relating to **SCHOOL BUS DRIVER EXAMINATIONS**. The legislation expands eligibility for those who are authorized to perform the physical examinations required of school bus drivers so that exams might be more readily available.

The House amended, approved, and sent the Senate **H.3430**, a bill **PROHIBITING SALES AND INSTALLATION OF UNSAFE USED TIRES**. The legislation establishes prohibitions on the installation of unsafe used tires onto a passenger car or light truck and sales of such tires in this state. The legislation establishes criteria for the damage, wear, or defects used to classify a used tire as unsafe. Exemptions are provided for businesses selling used tires for retreading, sellers of vehicles that have tires already mounted on them, and tires intended solely for agricultural use or for off the road industrial use. A violation is a misdemeanor subject to a fine of up to five hundred dollars.

The House approved and sent the Senate **H.3891**, a bill revising **MOTOR VEHICLE RENTAL COMPANY FEES** as a means of encouraging rental companies to title and register their vehicle fleets in this state. The legislation replaces current provisions for motor vehicle rental company surcharges with new provisions that authorize a company renting motor vehicles to consumers under rental agreements for periods of ninety days or less to charge a vehicle license fee that is separately stated on rental contract to recover the costs that the motor vehicle rental company incurs for licensing, titling, registering, plating, and inspecting of its rental vehicles as well as taxes paid in connection with registering its rental vehicles. The legislation includes authority for rental companies to charge other separately stated fees such as airport access fees, airport concession fees, and all applicable taxes. The vehicle license fee authorized by this legislation is subject to state and local sales and use tax in the manner and to the same extent as the fee charged for the lease or rental of the rental vehicle.

The House approved and sent the Senate **H.3788**, a bill to provide for the **INCLUSION OF MOTORCYCLES WITHIN MOTOR VEHICLE EXPRESS WARRANTY PROVISIONS**. The legislation revises the definitions of the terms “motor vehicle” and a “new motor vehicle” in provisions governing the enforcement of motor vehicle express warranties to include motorcycles and certain other motorcycle three-wheel vehicles.

The House approved **S.358** and enrolled the bill for ratification. The legislation allows for a more expansive **SUSPENSION OF VEHICULAR REQUIREMENTS** during declared states of emergency in order to allow trucks to engage in roadside clean-up efforts such as those necessitated by last year’s ice storms. The legislation provides that requirements relating to registration, permitting, length, width, weight, and load are suspended for commercial and utility vehicles traveling on non-interstate routes for up to one hundred twenty days, provided the vehicles do not exceed a gross weight of ninety thousand pounds and do not exceed a width of twelve feet. Requirements relating to time of service suspensions for commercial and utility vehicles traveling on interstate and non-interstate routes are suspended for up to thirty days, unless extended for additional periods.

The House approved and sent the Senate **H.4056**, a bill to counter **DECEPTIVE ARRANGEMENTS FOR SECURING DEPARTMENT OF TRANSPORTATION CONTRACTS**. The legislation provides that a contractor or contracting firm shall not be qualified to participate in Department of Transportation contracts as a prime contractor or subcontractor, if: (1) the contractor or contracting firm is owned, in whole or in part, by a trust that benefits a person or firm who has been disqualified for bidding on department contracts, or a disqualified person’s family; or (2) the disqualified person or firm provides financial support or loans to the contractor or contracting firm.

The House amended, approved, and sent the Senate **H.3910**, a bill relating to **TIDELANDS AND WETLANDS MINOR CONSTRUCTION ACTIVITIES**. The legislation provides for a three-year statute of limitations on enforcement violations on minor development activities. The legislation also provides exceptions when the alleged violator knowingly or intentionally withheld information regarding the alleged violation. Failure to obtain required permits and modifications before commencing development activities must be considered to be an act of concealment. This legislation applies to all enforcement actions pending as of January 1, 2015 and all future enforcement actions.

The House amended, approved, and sent the Senate **H.3917**, legislation **PROHIBITING TATTOOS AND PIERCINGS FOR PETS**. The legislation prohibits the piercing or tattooing of a companion animal except for when conducted by veterinarians for purposes of providing a means of identification or supplying a medical benefit. The legislation defines a companion animal as any animal that is kept inside a residential dwelling and any dog or cat regardless of where it is kept. The definition does not include livestock, fowl, or any wild animal. A violation is a misdemeanor subject to a fine of up to one thousand dollars and/or imprisonment for up to thirty days.

The House approved and sent the Senate **H.3911**, a bill addressing the **REISSUANCE OF LICENSE PLATES**. The legislation revises the interval in which the Department Of Motor Vehicles must reissue a license plate from six years to ten years.

The House amended, approved, and sent the Senate **H.3927**, a bill relating to **SPECIAL AND SOUVENIR LICENSE PLATES**. The legislation provides authority for the Department of Motor Vehicles to issue special organizational souvenir license plates and accommodates the personalization special license plates and souvenir plates.

The House approved and sent the Senate **H.3549**, a bill providing authorization for the Department of Motor Vehicles to issue **DELTA WATERFOWL SPECIAL LICENSE PLATES**.

The House approved and sent the Senate **H.3880**, a bill that increases the membership of the **MIGRATORY WATERFOWL COMMITTEE** from nine to ten by adding a designee of Delta Waterfowl of South Carolina who is not a paid employee.

The House approved and sent to the Senate **H.3562**, a bill enacting the “**LOCAL OPTION SCHOOL OPERATING MILLAGE PROPERTY TAX CREDIT ACT**” that addresses issues in Beaufort County. The legislation provides authority for a county governing body, with referendum approval, to impose a one percent sales tax the revenue of which is used to provide a credit against property tax levied in the county for school operations. The legislation provides that the tax may be rescinded by referendum initiated by a petition of fifteen percent of the qualified electors of the county or by ordinance if the governing body of the county determines that changes in state law providing for the financing of school operations make the original purpose of the tax impossible to accomplish under the existing law.

The House approved **S.673** and enrolled the bill for ratification. The legislation provides **AUTHORIZATION FOR A HOSPITAL PUBLIC SERVICE DISTRICT TO ENTER INTO A LEASE AGREEMENT**.

The House amended, approved, and sent the Senate **H.4012**, a bill to provide **AUTHORIZATION FOR A HOSPITAL PUBLIC SERVICE DISTRICT TO ENTER INTO A LEASE AGREEMENT**.

The House approved and sent the Senate **H.3025**, a bill providing **AUTHORIZATION TO CARRY A CONCEALED WEAPON WITHOUT A PERMIT**. In making its revisions, the legislation retains most of the current provisions relating to concealed weapons, including: the issuance of concealed weapons permits by the State Law Enforcement Division; the posting of notification that allows a business owner to prohibit concealed weapons on the premises; the homeowner permission required for carrying a concealed weapon into a private residence; and a list of places where concealed weapons are not allowed such as schools, daycare facilities, courthouses, and the meeting places of government bodies. The legislation incorporates within these provisions authority for someone to carry a concealed handgun lawfully in public without having to obtain a concealed weapons permit. These new provisions for carrying a concealed weapon apply only to those individuals who may legally purchase a firearm from a properly licensed and certified firearms dealer. The legislation also provides for South Carolina to honor valid out-of-state permits to carry concealable weapons that are held by residents of other states. With the adoption of these provisions for **HONORING OUT-OF-STATE CONCEALED WEAPONS PERMITS**, the legislation eliminates the current protocol for establishing CWP reciprocity with other states.

The House approved and sent the Senate **H.3343**, a bill addressing **METHODS OF EUTHANASIA IN ANIMAL SHELTERS**. The legislation disallows the use of lethal gas for euthanasia in animal shelters and makes provisions for the use of sodium pentobarbital and other substances that are recognized by the American Veterinary Medical Association as being clinically proven to be as humane.

BILLS INTRODUCED IN THE HOUSE THIS WEEK

AGRICULTURE, NATURAL RESOURCES AND ENVIRONMENTAL AFFAIRS

S.40 SOUTH CAROLINA AND GEORGIA JOINT WATER CAUCUS

Sen. Bryant

This bill implements a water management program for the Savannah River Basin to ensure continuous optimization of water quality and quantity management of the water resources shared by South Carolina and Georgia throughout the Savannah River Basin.

S.592 HUNTING FERAL HOGS, COYOTES, AND ARMADILLOS

Sen. Campsen

This bill provides that feral hogs, coyotes, and armadillos may be hunted at any time of the year under authority of the conditions contained in a depredation permit. Any legal firearm, bow and arrow, or crossbow may be used from the last day of February to the

first day of July of that same year when notice is given to the department. This bill also provides conditions for hunting these animals at night.

H.4094 WHITING CATCH LIMITS Rep. Ott

It is unlawful for a person to take or have in possession more than twenty-five whiting in any one day.

H.4105 DEPARTMENT OF THE ENVIRONMENT Rep. Neal

The bill creates the South Carolina Department of the Environment, which must be administered under the supervision of the South Carolina Board of the Environment. It also devolves the Department of Environment certain duties, functions and powers previously exercised by the Department of Health and Environmental Control.

EDUCATION AND PUBLIC WORKS

S.211 GOLF CART PATHS Sen. Campsen

This bill provides that a political subdivision may create separate golf cart paths on the shoulder of its primary highways, secondary highways, streets, and roads under certain circumstances.

H.4081 MANAGEMENT PERFORMANCE AUDIT Rep. King

This bill provides that beginning in January 2016 and every ten years after that, the Legislative Audit Council shall conduct a management performance audit of institutions of higher education per a listed schedule.

H.4084 SCHOOL LEADER Rep. Stringer

This bill authorizes a school leader to be hired to assist with the daily operation of the school. This bill also provides that employees, board members, and staff of the charter school are subject to the ethics and government accountability requirements applicable to public members and public employees. This bill requires that a statement of assurance of ethical compliance be filed annually.

H.4108 STEM EDUCATION Rep. Rivers

This bill creates a network to facilitate the provision of Science, Technology, Engineering, and Mathematics (STEM) education throughout the state.

JUDICIARY

H.4078 VOTING MACHINES PURCHASE Rep. McLeod

This bill requires the state election commission to submit a plan and process, by December 31, 2015, for purchasing new voting machines. It prohibits new voting machine purchases until the General Assembly reviews and approves the plan.

H.4083 LIMITATIONS ON MUNICIPAL JUDGE AND MAGISTRATE APPOINTMENTS OR REAPPOINTMENTS Rep. Corley

Under this proposal, for a period of five years, a person could not be appointed a magistrate or municipal judge after they have been cited by the South Carolina House,

Senate, or Ethics Commission for violating ethics act provisions. In addition, if the Supreme Court or Governor has previously removed a magistrate or municipal judge from office, then that person could not be reappointed until five years after the removal date.

H.4093 UNBORN RIGHTS AMENDMENT Rep. Chumley

A proposed state constitutional amendment to extend citizenship privileges and immunities to the unborn at conception.

H.4107 ILL-TREATMENT OF ANIMALS Rep. Taylor

This bill revises the ill-treatment of animals criminal offense to provide for fines or imprisonment based on the number of animals involved, the number of the offense, and other factors. Fowl would not be covered by this bill. It also exempts animal husbandry, dog training, wildlife management and other activities from its scope.

S.268 STATE GRAND JURY Sen. Martin

This bill amends state grand jury procedures, sets forth their areas of inquiry, provides for public hearings for any petitions to disqualify the Attorney General from appearing before the state grand jury, maintains secrecy of proceedings and directs administering secrecy oaths to participants, and makes other updates for these proceedings.

S.512 DAMAGING A WATER SYSTEM Sen. Sheheen

This bill provides penalties for willfully damaging public water or sewer systems.

S.586 STATE AGENCY REORGANIZATION Sen. Martin

This bill updates references to state agencies, including administration and fiscal responsibility, after reorganization. It clarifies how agencies can use funds appropriated by the General Assembly. It also sets out how Legislative Council can distribute or sell copies of the state Code of Laws. Other code references are corrected after state agency reorganization.

S.667 SOUTH CAROLINA-NORTH CAROLINA STATE LINE Sen. Hayes

This bill provides for resolution of a long laundry list of various issues raised by the clarification of the exact state boundary line between the States of South Carolina and North Carolina.

LABOR, COMMERCE AND INDUSTRY

S.666 INSURANCE PREMIUM SERVICE COMPANIES Sen. Hayes

This bill establishes conditions under which interest on mitigation loans may be included in premium service agreements. The legislation provides that insurance premium service companies may not write insurance or sell other services or commodities in connection with a premium service contract except as approved by the Director of the Department of Insurance, or his designee, for mitigation purposes.

H.4090 PAWNBROKER REQUIREMENTS Rep. Bedingfield

This bill provides for comprehensive revisions to the requirements governing the operation of pawnbrokers relating to such areas as: criminal background check requirements; the amounts of fees, fines, and loan charges; record keeping requirements by pawnbrokers on loans and goods pawned and pledged; new requirements for verification of pledgors and sellers; requirements for conspicuously posting hours of operation; a prohibition on keeping pledged goods in unapproved locations, and, new authority for the Department of Consumer Affairs to issue a cease and desist order directly rather than having to obtain the order from the Administrative Law Court.

MEDICAL, MILITARY, PUBLIC AND MUNICIPAL AFFAIRS

S.176 ELECTRONIC FILING AND TRANSMISSION OF DEATH CERTIFICATES

Sen. Alexander

Medical certifications of cause of death must be completed and returned to the funeral home director within forty-eight hours after receipt of notice of the death by the physician in charge of the patient's care for the illness or condition which resulted in death, except when an inquiry is required by a coroner or medical examiner.

S.341 RENAL MEDULLARY CARCINOMA Sen. Kimpson

This bill requires every hospital in the state to provide the parents of each newborn baby delivered in the hospital certain education information on renal medullary carcinoma and the debilitating effect of this rare kidney cancer associated with the sickle cell trait. This bill also adds that a hospital is not required to provide or pay for renal medullary carcinoma testing.

S.474 PATIENT'S RIGHTS Sen. O'Dell

This bill adds and defines the term "authorized health care provider" which means advanced practice registered nurses and physician assistants licensed in South Carolina and authorized to provide specific treatments, care, or services.

WAYS AND MEANS

**H.4065 SOLICITORS' TERMS OF SERVICE AND RETIREMENT BENEFITS
Rep. Kennedy**

This bill makes revisions to the Retirement System for Judges and Solicitors, so as to provide that, if the term of a solicitor who has retired and continues to serve as a solicitor begins before the end of the calendar year in which the solicitor attains the age of seventy-two years, then the solicitor may continue to serve as solicitor and receive a retirement benefit until the end of the solicitor's term.

**H.4066 DEPARTMENT OF SOCIAL SERVICES ADMINISTRATION OF THE
FEDERAL SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM
(SNAP) Rep. Gagnon**

This bill establishes provisions for the Department of Social Services to administer the Federal Supplemental Nutrition Assistance Program (SNAP) pursuant to the federal Food Stamp Act of 1977, as amended, for eligible households to receive benefits with which to purchase certain food items approved by the program. The legislation provided for the department to: determine eligibility for program benefits; limit individuals to receipt of SNAP benefits to three months out of every thirty-six months with exceptions; provide for certain circumstances under which individuals are not eligible to receive SNAP benefits; establish additional penalties; and provide a process through which individuals may regain eligibility for SNAP benefits. The department is prohibited from applying for waivers from work requirements to receive SNAP benefits. The legislation revises provisions relating to state welfare policy, so as to expand the scope of the policy. The legislation revises provisions relating to employment and training requirements for certain public benefits, so as to reference Temporary Assistance for Needy Families and the Supplemental Nutrition Assistance Program.

H.4077 CAPITAL RESERVE FUND APPROPRIATIONS Rep. Quinn

This joint resolution appropriates monies from the Capital Reserve Fund for Fiscal Year 2014-2015, and allows unexpended funds appropriated to be carried forward to succeeding fiscal years and expended for the same purposes.

H.4078 PURCHASE OF NEW VOTING MACHINES Rep. W. J. McLeod

This joint resolution requires the South Carolina State Election Commission to submit a plan and process for the purchase of new voting machines that provide a voter verified paper audit trail by December 31, 2015, and to prohibit the purchase of new voting machines until the General Assembly reviews and approves the plan.

**H.4092 RETENTION OF OWNER-OCCUPIED SPECIAL PROPERTY TAX
ASSESSMENT RATE UNTIL A DECEASED'S ESTATE IS CLOSED
Rep. Loftis**

This bill provides that when a homeowner receiving the four percent property tax assessment ratio dies, the property shall continue to receive the special owner-occupied assessment rate until the deceased's estate is closed, so long as the property is not rented or occupied.

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